

## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** October 7, 2004

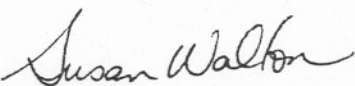
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**COUNCIL DISTRICT:** 7

**PDC04-054. PLANNED DEVELOPMENT PREZONING FROM COUNTY TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 31 SINGLE-FAMILY DETACHED RESIDENCES ON A 3.49 GROSS ACRE SITE, LOCATED AT THE NORTH SIDE OF UMBARGER ROAD APPROXIMATELY 1,200 FEET WESTERLY OF SENTER ROAD.**

### TRANSMITTAL MEMO

The Planning Commission will hear this project on October 13, 2004. The final Council memo with the Planning Commission recommendations will be submitted under different cover. We hope the submittal of this report and back up documentation is of assistance in your review of this project.

  
for **STEPHEN M. HAASE**  
Secretary, Planning Commission

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building, and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 10/13/04 Item # 3.f.

File Number  
PDC04-054

Application Type  
Planned Development Rezoning

Council District  
7

Planning Area  
South

Assessor's Parcel Number(s)  
497-37-001

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Lori Moniz

Location: North side of Umbarger Road, approximately 1,200 feet westerly of Senter Road

Gross Acreage: 3.5

Net Acreage: 2.5

Net Density: 12 DU/AC

Existing Zoning: County

Existing Use: Residential and vacant (former storage yard)

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 30 single-family detached residential units

### GENERAL PLAN

Completed by: LM

Land Use/Transportation Diagram Designation  
Medium Density Residential (8-16 DU/AC)

Project Conformance:  
☒ Yes ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: LM

North: Santa Clara County Fairgrounds &  
Single-family detached residential

County &  
R-1-8 Residence District

East: Mobilehome park & PG&E transformer site

R-MH Residence Districts & A Agricultural

South: Industrial, single-family detached residential

IP Industrial Park & A(PD) Planned Development

West: Light Industrial Uses

County

### ENVIRONMENTAL STATUS

Completed by: LM

☐ Environmental Impact Report found complete  
☒ Negative Declaration circulated on September 23, 2004  
☐ Negative Declaration adopted

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: LM

Annexation Title: Franklin No. 52

Date: Pending

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date:

10-6-04

Approved by:

☐ Action  
☒ Recommendation

### OWNER

TLB Properties  
Attn: Raymond E. Hutchings  
208 Colibri Court  
San José, CA 95119

### APPLICANT/DEVELOPER

Dal Properties  
Attn: Mark Lazzarini  
255 W. Julian Street, Suite 502  
San Jose, CA 95110

### CONTACT

Lou N. Nepomuceno  
Charles W. Davidson Co.  
255 W. Julian Street, Suite 200  
San José, CA 95110

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**PUBLIC AGENCY COMMENTS RECEIVED**

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Completed by: LM

Department of Public Works

See attached memo

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**Other Departments and Agencies**

n/a

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**GENERAL CORRESPONDENCE**

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None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, Dal Properties, is proposing to prezone a 3.5 gross-acre site from County to A(PD) Planned Development to allow up to 30 single-family detached residential units. The subject site, located in an unincorporated area of Santa Clara County, is rectangular in shape with approximately 209 feet of frontage on Umbarger Road and a depth of approximately 728 feet. The site is currently unoccupied, and developed with three structures, one of which is an office building that was converted from a single-family house. The other structures include a single-family residential unit along Umbarger Road and a metal shop building in the center of the site. The residential units were built approximately 40 years ago. Three storage containers are located behind the houses. Currently, there is one (1) ordinance-sized tree, a Poplar measuring 23 inches in diameter, on the project site.

The project site is bordered by the Santa Clara County Fairgrounds and single-family detached homes to the north, single-family homes and an Industrial Park development across Umbarger Road to the south, an existing mobile home park and a PG&E transformer to the east, and light industrial uses including a construction yard, tow yard and vehicle storage to the west. The Santa Clara Fairgrounds property adjacent to the site is currently vacant and is shown in the Fairgrounds Master Plan for future use as a parking lot.

**Project Description**

The proposed project consists of 30 traditional single-family detached units on individual lots averaging 3,600 square feet. The minimum lot size for these units is 3,000 square feet. The units will take access from a new public street off Umbarger Road. There are three proposed unit types, a 3-bedroom, a 3-bedroom with a loft or a 4<sup>th</sup> bedroom option and a 4-bedroom with a 5<sup>th</sup> bedroom option. The units are two stories and range in size from 1,625 to 2,139 square feet with an attached 2-car garage.



## GENERAL PLAN CONFORMANCE

The proposed project has a net density of 12 DU/AC, which conforms to the site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC). On June 1, 2004, the City Council approved a General Plan Amendment (File No. GP04-07-01) at the request of the applicant to facilitate the proposed residential project. The site had previously been designated as Light Industrial. The proposed project furthers one of the General Plan's Major Strategies by providing housing opportunities on infill property that is easily served by existing City services.

## ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and the Director of Planning circulated a Mitigated Negative Declaration for public review on September 23, 2004. The key issues addressed included the potential impacts from hazardous materials, traffic and traffic noise. The project includes mitigation measures that reduce any potentially significant impacts to a less-than-significant level.

### Hazardous Materials

A Phase I environmental site assessment was conducted to document environmental conditions at the site related to current and historic uses. Since the site had historically been used for agricultural uses, a soil investigation was conducted to determine if any residual agrichemicals are present in site surface soils. Pesticide levels are well below any threshold of concern and the metal concentrations are at background levels.

In addition, the site and surrounding properties have more recently been used for industrial and commercial purposes. Due to the nature of the various tenants' activities over the years, the site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement and to survey the structures for the presence of asbestos-containing materials and lead based paint. If found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

### Traffic

The Public Works Department has determined, through an in-house analysis, that there is no level of service (LOS) impact presented by this project, therefore there is no traffic mitigation required in order to satisfy the requirements of the California Environmental Quality Act (CEQA).

### Noise

Noise intrusion over the project site originates primarily from vehicular traffic sources along Umbarger Road. Special noise-attenuating windows and mechanical ventilation will be installed in the units that will have the most potential to be impacted by noise. The noise report prepared for the project indicated that this mitigation will be sufficient to bring the interior noise levels into conformance with the General Plan's interior noise standard of 45 dB DNL.

The noise exposure levels at the most impacted units dwellings along Umbarger will exceed, by up to 9 dB, the General Plan's exterior noise standard of 60 dB DNL. However, the General Plan standard

recognizes that when exterior spaces are located near major roadways, it is sometimes impossible to achieve exterior noise standard conformance without eliminating the beneficial attributes of the exterior spaces. Requiring the installation of tall sound walls, greenhouse patio rooms or other intrusive mitigation measures reduces the benefits of the open space. Therefore, strict compliance of this exterior noise standard is not required of the project in this case.

## ANALYSIS

The primary issues concerned in the proposed rezoning include: 1) compatibility with surrounding land uses, 2) site plan considerations, and 3) conformance to the City's Residential Design Guidelines.

### Compatibility with Adjacent Land Uses

The existing neighborhoods to the northeast, southeast and south consists of one and two-story single-family detached residences built since the late 1950s. The neighboring lots range in size from approximately 3,000 square feet to 7,000 square feet. There is an existing mobile home park to the east.

The proposed residential development will continue the existing development pattern of single-family detached residences on individual lots facing traditional public streets in the area. This development will have two-story units with adequate setbacks from existing adjacent properties on all sides, which meet or exceed the development requirements applicable to the adjacent properties.

### Site Design

The proposed street layout includes opportunities for the potential future residential development to the west to connect to the proposed project, providing a good opportunity for vehicular/pedestrian access and internal circulation within the future neighborhood. The City's General Plan Urban Design policies encourage street connectivity to enhance the sense of neighborhood and to avoid the creation of isolated enclaves. An independent site plan analysis was conducted by staff on a variety of potential site layouts on the underutilized residential properties to the west to ensure a logical point of connection to the adjacent property. The project will have single-family detached units fronting onto new public streets and Umbarger Road.

### Conformance with the Residential Design Guidelines

The proposed project is in conformance with the development standards recommended in the *Residential Design Guidelines* for single-family detached houses with respect to setbacks, height/stories, parking, private open space, and architecture.

### *Setbacks and Height/Stories*

The proposed setbacks and height and stories are consistent with the *Residential Design Guidelines* for 3,000 to 4,000 square foot lot single-family detached houses in that the proposed dwelling unit front and rear setbacks meet the Guidelines' minimum dimensions of 15-feet and a side setback of 4-feet. The applicant proposes to construct two-story single-family houses with a maximum height of 30 feet.

### *Parking*

The *Residential Design Guidelines* recommend that two covered spaces and one additional off-lot parking space within 150 feet of each unit be provided. This project will provide the recommended two covered spaces in garages with more than ample off-lot or on-street parking spaces. Each unit will also have two parking spaces on the driveway apron.

### *Private Open Space*

The *Residential Design Guidelines* recommend that each unit be provided with a minimum of 500 square feet of private open space. For projects with more than 20 units, an additional 150 square feet per unit should be provided unless common open space is provided. This project provides a minimum of 660 square feet of private open space per unit thus avoiding the requirement to provide common open space on the project site.

### *Architecture*

The project's proposed conceptual architecture is attractive in appearance, and includes an appropriate amount of articulation and variation among units to avoid a monotonous appearance. The final design of the units will undergo additional review and fine-tuning at the Planned Development Permit stage.

## **PUBLIC OUTREACH**

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and published in the San Jose Post record in conformance with the City's Public Outreach Policy. The Planning Commission Agenda, which is posted on the City of San Jose's website includes a copy of the staff report for this project.

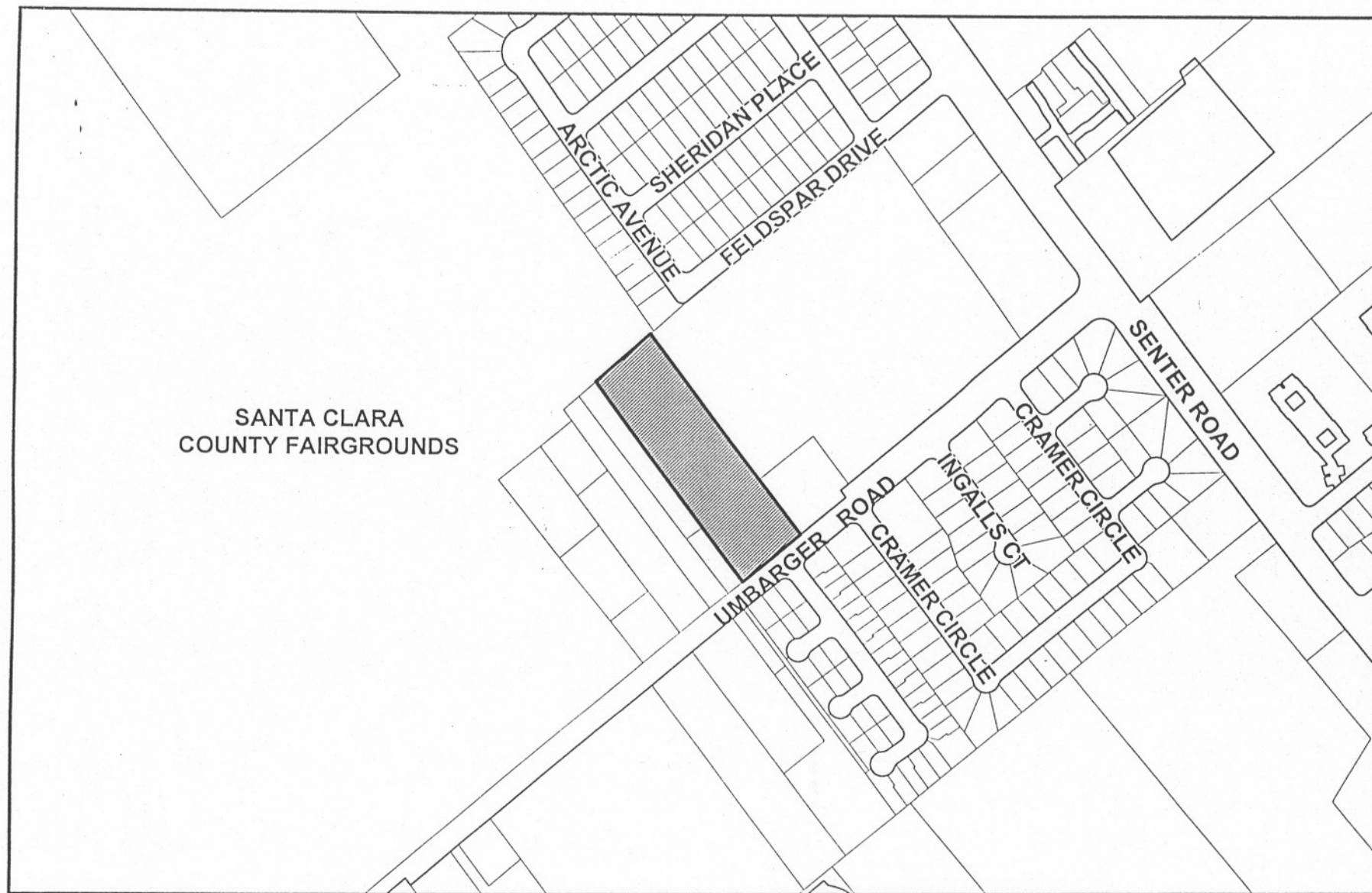
## **RECOMMENDATION**

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC).
2. The proposed project substantially conforms to the *Residential Design Guidelines*.
3. The project furthers the goals and objectives of the City's in-fill housing strategies.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

**NOTE:** Development standards and other notes are included on a separate 8 ½ "x 11" attachment. These supercede the notes currently shown on the plans. These notes will be included on the Land Use Plan (General Development Plan) for this project prior to final approval of the project by the City Council.





Scale: 1"=400'

Created on 06/02/04

File No: PDC04-054

District: 07

Quad No.: 100